

BOROUGH OF KEANSBURG
MUNICIPAL COUNCIL & REDEVELOPMENT AGENCY
July 6, 2011
Meeting Minutes

Mr. Cusick read the following:

ADEQUATE NOTICE HAS BEEN GIVEN OF THIS MEETING BY NOTIFICATION TO THE ASBURY PARK PRESS
AND THE STAR - LEDGER AND PLACED ON THE BULLETIN BOARD IN THE MUNICIPAL BUILDING OF THE BOROUGH OF KEANSBURG

Mr. Cusick asked all to rise and recite:

Salute to the Flag

Mr. Cusick took:

Roll Call

Mr. Boden	Mr. DePompa	Mrs. Strydio	Mr. Hoff	Mr. Cocuzza
✓	✓	✓	Excused	✓

Nomination of Mayor

Nomination of Lisa Strydio for the office of Mayor made by Mr. DePompa, seconded by Mr. Cocuzza

Roll Call

Mr. Boden	Mr. Cocuzza	Mr. DePompa	Mr. Hoff	Mrs. Strydio
✓	✓	✓	Excused	✓

Oath of Office of Mayor

Oath of Office of Mayor administered at this time.

Nomination of Acting Mayor

Nomination of Anthony DePompa for the office of Acting Mayor made by Mrs. Strydio, seconded by Mr. Boden.

Roll Call

Mr. Boden	Mr. Cocuzza	Mr. DePompa	Mr. Hoff	Mrs. Strydio
✓	✓	✓	Excused	✓

Oath of Office of Acting Mayor

Oath of Office of Acting Mayor administered at this time.

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Meeting Minutes:

Meeting Minutes June 22, 2011

Mr. Cusick asked for a roll call vote to accept the minutes and place same on file:

Mr. Cusick asked for a roll call vote:

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Mr. Boden	✓		✓			
Mr. Cocuzza		✓	✓			
Mr. Hoff					✓	
Mr. DePompa			✓			
Mrs. Strydio			✓			

Council Discussion:

Council discussed a Housing Authority vacancy which was the result of a completed term. Ms. Ann Commarato was reappointed to the vacant seat.

RESOLUTION #11 – 129 Appointment to the Housing Authority

BE IT RESOLVED, by the Mayor and Council of the Borough of Keansburg, in the County of Monmouth, New Jersey that it does hereby appoint:

Yolanda Ann Commarato

To the Housing Authority
for the Borough of Keansburg
for a term commencing on July 1, 2011
and expiring on June 30, 2016.

Mr. Cusick asked for a roll call vote:

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Mr. Boden			✓			
Mr. Cocuzza	✓		✓			
Mr. Hoff					✓	
Mr. DePompa			✓			
Mrs. Strydio		✓	✓			

Ordinances:

Second Reading:

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ORDINANCE #1507 BOND ORDINANCE: Refunding Bond

REFUNDING BOND ORDINANCE OF THE BOROUGH OF KEANSBURG, IN THE COUNTY OF MONMOUTH, NEW JERSEY, AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$159,000 AGGREGATE PRINCIPAL AMOUNT OF REFUNDING BONDS, SERIES 2011, FOR THE PURPOSE OF FINANCING THE PAYMENT OF A JUDGMENT AND APPROPRIATING THE PROCEEDS OF SUCH REFUNDING BONDS TO SUCH PURPOSE

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF KEANSBURG, IN THE COUNTY OF MONMOUTH, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The Borough of Keansburg, in the County of Monmouth, New Jersey (the “Borough”) is hereby authorized to pay an aggregate amount not exceeding \$141,509.26 for amounts owed by the Borough pursuant to an Order of the Freehold Workers Compensation Court (the “Judgment”), and for which no adequate provision was made in the Borough’s 2011 budget.

Section 2. An aggregate amount not exceeding \$17,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-51(b) has been included in the aggregate principal amount of refunding bonds authorized herein.

Section 3. In order to finance the cost of the purpose described in Section 1 hereof, negotiable general obligation refunding bonds (the “Refunding Bonds”) are hereby authorized to be issued in the principal amount not to exceed \$159,000 pursuant to the Local Bond Law.

Section 4. In anticipation of the issuance of the refunding bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law. All refunding bond anticipation notes issued hereunder shall mature at such times as maybe determined by the Chief Financial Officer, provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with notes issued pursuant to this ordinance, and the Chief Financial Officer’s signature upon the notes shall be conclusive evidence as to all such determinations.

All notes issued hereunder may be renewed from time to time, but all such notes including renewals shall mature and be paid no later than the seventh anniversary of the date of the original notes; provided, however, that no notes shall be renewed beyond the first or any succeeding anniversary date of the original notes unless an amount of such notes, at least equal to the first legally payable installment of the bonds in anticipation of which the notes are issued, determined in accordance with the maturity schedule for the bonds approved by the Local Finance Board, is paid and retired on or before such anniversary date; and provided, further, that the period during which the bond anticipation notes and any renewals thereof and any permanent bonds ore outstanding, shall not exceed the period set for the maturity of the bonds by the Local Finance Board.

The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this ordinance is made. Such report must include the amount, the

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description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. A certified copy of this refunding bond ordinance as adopted on first reading has been filed with the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey prior to final adoption, together with a complete statement in the form prescribed by the Director of the Division of Local Government Services and signed by the Chief Financial Officer of the Borough as to the indebtedness to be financed by the issuance of the refunding bonds authorized herein. Such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this refunding bond ordinance by \$159,000, but that the net debt of the Borough determined as provided in the Local Bond Law is not increased by virtue of a deduction pursuant to N.J.S.A. 40A:2-52.

Section 6. To the extent the refunding bonds or notes authorized hereunder are issued as tax-exempt obligations, the Borough hereby covenants to take any action necessary or refrain from taking such action in order to preserve the tax-exempt status of the refunding bonds and notes authorized hereunder as is or may be required under the Internal Revenue Code of 1986, as amended, and the regulations promulgated thereunder (the "Code"), including compliance with the Code with regard to the use, expenditure, investment, timely reporting and rebate of investment earnings as may be required thereunder. The Borough reasonably expects to expend general funds or other available moneys for the purpose described in Section 1 hereof prior to the issuance of refunding bonds or notes hereunder. To the extent such funds are spent, the Borough further reasonably expects to reimburse such expenditures from the proceeds of the refunding bonds or notes authorized by this refunding bond ordinance, in an aggregate not to exceed the amount of refunding bonds or notes authorized in Section 3 hereof.

Section 7. The Borough hereby covenants to comply with Rule 15c2-12 promulgated under the Securities Exchange Act of 1934 to the extent applicable to the issuance of refunding bonds or notes issued pursuant to this refunding bond ordinance.

Section 8. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this refunding bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all the taxable real property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 9. This refunding bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law, provided that the consent of the Local Finance Board has been endorsed upon a certified copy of this ordinance as finally adopted.

Mr. Cusick asked for a roll call vote to open the meeting to the public:

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Mr. Boden		✓	✓			
Mr. Cocuzza			✓			
Mr. Hoff					✓	
Mr. DePompa			✓			
Mrs. Strydio	✓		✓			

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NO MEMBER OF THE PUBLIC SPOKE AT THIS TIME

Mr. Cusick asked for a roll call vote to close the meeting to the public:

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Mr. Boden			✓			
Mr. Cocuzza	✓		✓			
Mr. Hoff					✓	
Mr. DePompa			✓			
Mrs. Strydio		✓	✓			

Mr. Cusick asked for a roll call vote on Ordinance #1507:

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Mr. Boden		✓	✓			
Mr. Cocuzza			✓			
Mr. Hoff					✓	
Mr. DePompa			✓			
Mrs. Strydio	✓		✓			

Resolution:

At this time there was a discussion with Patrick Cole, Project Engineer on the status of the desalination project. A change order is needed to allow a connection to the Monmouth County Bayshore Outfall Authority discharge outfall adjacent to the Henry Hudson Trail.

RESOLUTION #11 – 131 Change Order/MCBOA \$18,000.00

Be It Resolved that the Mayor and Council of the Borough of Keansburg do hereby approve the attached change order for the desalination project; and,

Be It Further Resolved the Borough Council authorizes the Borough Manager, Mayor and Municipal Clerk to execute said change order.

Mr. Cusick asked for a roll call vote:

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Mr. Boden	✓		✓			
Mr. Cocuzza		✓	✓			
Mr. Hoff					✓	
Mr. DePompa			✓			
Mrs. Strydio			✓			

First Reading:

ORDINANCE #1509

BOND ORDINANCE: Center, Seabreeze, Raritan

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BOND ORDINANCE AMENDING IN PART BOND ORDINANCE NO. 1322 ADOPTED ON FEBRUARY 12, 2002, PROVIDING FOR THE RECONSTRUCTION OF CENTER AVENUE AND THE INTERSECTION OF RARITAN AVENUE AND SEABREEZE WAY, IN ORDER TO EXPAND THE SCOPE OF IMPROVEMENTS TO INCLUDE THE REPLACEMENT OF WATER, SANITARY SEWER AND DRAINAGE MAINS AS WELL AS RECONSTRUCTION OF ADDITIONAL ROADS IN THE BOROUGH, AUTHORIZED IN AND BY THE BOROUGH OF KEANSBURG, IN THE COUNTY OF MONMOUTH, NEW JERSEY

WHEREAS, the Borough of Keansburg, in the County of Monmouth, New Jersey (the “Borough”) finally adopted Bond Ordinance No. 1322 on February 12, 2002 (the “Prior Ordinance”), providing for the reconstruction of Center Avenue and the intersection of Raritan Avenue and Seabreeze Way; and

WHEREAS, the Borough has determined that the project description set forth in the Prior Ordinance needs to be amended, without increasing the aggregate appropriation or debt authorization for said purposes.

NOW, THEREFORE, BE IT ORDAINED by the BOROUGH COUNCIL of the BOROUGH OF KEANSBURG, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring), AS FOLLOWS:

Section One. Section 3 of the Prior Ordinance, is hereby amended to read as follows:

Improvements to and reconstruction of Center Avenue and the intersection of Raritan Avenue and Seabreeze Way, and the replacement of water, sanitary sewer and drainage mains as well as reconstruction of Center Avenue, Seabreeze Way, Beachway, Raritan Avenue, Oak Street, East Shore Street, West Shore Street, Bayview Avenue, Fox Avenue, Belleview Avenue, Carr Avenue and Seeley Avenue, and all improvements and appurtenances related thereto or necessary thereto.

Section Two. The aggregate appropriation of \$750,000, the aggregate debt authorization of \$380,950, and other authorizations set forth in the Prior Ordinance remain unchanged and are hereby confirmed.

Section Three. All ordinances or parts of ordinances in conflict or inconsistent with any of the terms of this ordinance are hereby repealed to the extent that they are in such conflict or are inconsistent. In the event that any section, part or provision of this ordinance shall be held to be unconstitutional or invalid by any court, such holding shall not affect the validity of this ordinance as a whole, or any part hereof other than the part so held unconstitutional or invalid.

Section Four. This amendatory bond ordinance shall take effect twenty days after the first publication thereof after final passage, as provided in the Local Bond Law, N.J.S.A. 40A:2-1 et seq..

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Mr. Cusick asked for a roll call vote to introduce and set down for a Public Hearing on July 27, 2011 at 7 pm.:

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Mr. Boden			✓			
Mr. Cocuzza	✓		✓			
Mr. Hoff					✓	
Mr. DePompa			✓			
Mrs. Strydio		✓	✓			

Resolutions: Previously Held

RESOLUTION #11 – 108 Annual Plenary Retail Lic. Renewal 11.12 (R. Lengyel LLC)

BE IT RESOLVED by the Mayor and Council of the Borough of Keansburg, County of Monmouth, State of New Jersey that Plenary Retail Licenses be granted to the following licensees for the term of July 1, 2011 through June 30, 2012

Russell J. Lengyel LLC
60 Carr Avenue
1321-33-018-004

Mr. Cusick asked for a roll call vote:

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Mr. Boden			✓			
Mr. Cocuzza		✓	✓			
Mr. Hoff					✓	
Mr. DePompa			✓			
Mrs. Strydio	✓		✓			

Resolutions:

RESOLUTION #11 – 119 Appointment of Borough Attorney

BE IT RESOLVED, by the Mayor and Council of the Borough of Keansburg, in the County of Monmouth, New Jersey that it does hereby appoint:

John O. Bennett III

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Borough Attorney

for the Borough of Keansburg for one year term commencing immediately and expiring on
June 30, 2012

Mr. Cusick asked for a roll call vote:

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Mr. Boden		✓	✓			
Mr. Cocuzza			✓			
Mr. Hoff					✓	
Mr. DePompa			✓			
Mrs. Strydio	✓		✓			

RESOLUTION #11 – 120 Appointment of Bond Counsel

BE IT RESOLVED, by the Mayor and Council of the Borough of Keansburg, in the County of Monmouth, New Jersey that it does hereby appoint:

John O. Bennett III

Bond Counsel

for the Borough of Keansburg for one year term commencing immediately and expiring on
June 30, 2012

Mr. Cusick asked for a roll call vote:

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Mr. Boden	✓		✓			
Mr. Cocuzza			✓			
Mr. Hoff					✓	
Mr. DePompa			✓			
Mrs. Strydio		✓	✓			

RESOLUTION #11 – 121 Appointment of Municipal Auditor

BE IT RESOLVED, by the Mayor and Council of the Borough of Keansburg, in the County of Monmouth, New Jersey that it does hereby appoint:

Robert W. Allison
of

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Hutchins, Farrell, Meyer & Allison
Municipal Auditor

for the Borough of Keansburg for one year term commencing immediately and expiring on
June 30, 2012

Mr. Cusick asked for a roll call vote:

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Mr. Boden		✓	✓			
Mr. Cocuzza	✓		✓			
Mr. Hoff					✓	
Mr. DePompa			✓			
Mrs. Strydio			✓			

RESOLUTION #11 – 122 Appointment of Municipal Prosecutor

BE IT RESOLVED, by the Mayor and Council of the Borough of Keansburg, in the County of Monmouth, New Jersey that it does hereby appoint:

Steven C. Rubin
Municipal Prosecutor

for the Borough of Keansburg for one year term commencing July 8, 2011 and expiring on
June 30, 2012

Mr. Cusick asked for a roll call vote:

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Mr. Boden		✓	✓			
Mr. Cocuzza			✓			
Mr. Hoff					✓	
Mr. DePompa			✓			
Mrs. Strydio	✓		✓			

RESOLUTION #11 – 123 Appointment of Municipal Public Defender

BE IT RESOLVED, by the Mayor and Council of the Borough of Keansburg, in the County of Monmouth, New Jersey that it does hereby appoint:

Raymond Raya

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Municipal Public Defender

for the Borough of Keansburg for one year term commencing immediately and expiring on
June 30, 2012

Mr. Cusick asked for a roll call vote:

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Mr. Boden		✓	✓			
Mr. Cocuzza	✓		✓			
Mr. Hoff					✓	
Mr. DePompa			✓			
Mrs. Strydio			✓			

RESOLUTION #11 – 124 Appointment of Municipal Engineer

BE IT RESOLVED, by the Mayor and Council of the Borough of Keansburg, in the County of Monmouth, New Jersey that it does hereby appoint:

Francis Mullan
Municipal Engineer

for the Borough of Keansburg for one year term commencing immediately and expiring on
June 30, 2012

Mr. Cusick asked for a roll call vote:

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Mr. Boden		✓	✓			
Mr. Cocuzza	✓		✓			
Mr. Hoff					✓	
Mr. DePompa			✓			
Mrs. Strydio			✓			

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RESOLUTION #11 – 125 Appointment of Municipal Consulting Engineers

BE IT RESOLVED, by the Mayor and Council of the Borough of Keansburg, in the County of Monmouth, New Jersey that it does hereby appoint:

<i>#11-125A</i>	<i>Joseph May</i>	<i>Of</i>	<i>East Point Engineering</i>
<i>#11-125B</i>	<i>Staff Engineers</i>	<i>Of</i>	<i>Birdsall Engineering</i>

Borough Consulting Engineers

for the Borough of Keansburg for one year term commencing immediately and expiring on
June 30, 2012

Mr. Cusick asked for a roll call vote:

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Mr. Boden		✓	✓			
Mr. Cocuzza			✓			
Mr. Hoff					✓	
Mr. DePompa			✓			
Mrs. Strydio	✓		✓			

RESOLUTION #11 – 126 Appointment of Class I Planning Board Member

NOTE: Resolution withdrawn. Mayor Strydio will take up the Mayor’s Class I Planning Board Member’s seat.

RESOLUTION #11 – 127 Appointment of Class II Planning Board Member

BE IT RESOLVED by the Mayor and Council of the Borough of Keansburg that

Ginger Rogan

**Be a Class II Member
for the term of
July 1, 2011 through June 30, 2012**

Be and are hereby appointed to the Keansburg Planning Board of Adjustment Be and are hereby appointed to the Keansburg Planning Board of Adjustment

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Mr. Cusick asked for a roll call vote:

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Mr. Boden			✓			
Mr. Cocuzza		✓	✓			
Mr. Hoff					✓	
Mr. DePompa			✓			
Mrs. Strydio	✓		✓			

RESOLUTION #11 – 128 Appointment of Class III Planning Board Member

BE IT RESOLVED by the Mayor and Council of the Borough of Keansburg that

Councilman George Hoff

**Be a Class III Member
for the term of
July 1, 2011 through June 30, 2012**

Be and are hereby appointed to the Keansburg Planning Board of Adjustment Be and are hereby appointed to the Keansburg Planning Board of Adjustment

Mr. Cusick asked for a roll call vote:

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Mr. Boden			✓			
Mr. Cocuzza		✓	✓			
Mr. Hoff					✓	
Mr. DePompa			✓			
Mrs. Strydio	✓		✓			

RESOLUTION #11 – 129 Appointment to the Housing Authority

NOTE: Resolution #11-129 acted upon earlier in the meeting

RESOLUTION #11 – 130 Refund of Fees (Mackey)

BE IT RESOLVED by the Mayor and Council of the Borough of Keansburg that the following payment be made to

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Amount: \$158.25

Reason: Refund of unused Escrow Fee

Payable to: Douglas Mackey
57 Bayview Avenue Ref: 57 Bayview Ave
Keansburg, NJ 07734

BE IT FURTHER RESOLVED that the Chief Financial Officer is hereby directed to issue payment as stated above:

Mr. Cusick asked for a roll call vote:

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Mr. Boden	✓		✓			
Mr. Cocuzza			✓			
Mr. Hoff					✓	
Mr. DePompa			✓			
Mrs. Strydio		✓	✓			

Presentation:

Ritesh Shah of 304 Main Street spoke with the Council about continued plans for the property located at 304 Main Street. No approvals were given at this time, Mr. Shah will return with finalized plans.

Open to the Public:

Mr. Cusick asked for a roll call vote:

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Mr. Boden		✓	✓			
Mr. Cocuzza	✓		✓			
Mr. Hoff					✓	
Mr. DePompa			✓			
Mrs. Strydio			✓			

NO MEMBER OF THE PUBLIC SPOKE AT THIS TIME

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Mr. Cusick asked for a roll call vote:

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Mr. Boden		✓	✓			
Mr. Cocuzza			✓			
Mr. Hoff					✓	
Mr. DePompa			✓			
Mrs. Strydio	✓		✓			

Adjournment

Mr. Cusick asked for a roll call vote:

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Mr. Boden	✓		✓			
Mr. Cocuzza			✓			
Mr. Hoff					✓	
Mr. DePompa			✓			
Mrs. Strydio		✓	✓			